

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2482

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 Section 1. Section 15-203, Arizona Revised Statutes, is amended to  
3 read:

4 15-203. Powers and duties

5 A. The state board of education shall:

6 1. Exercise general supervision over and regulate the conduct of the  
7 public school system and adopt any rules and policies it deems necessary to  
8 accomplish this purpose.

9 2. Keep a record of its proceedings.

10 3. Make rules for its own government.

11 4. Determine the policy and work undertaken by it.

12 5. Appoint its employees, on the recommendation of the superintendent  
13 of public instruction.

14 6. Prescribe the duties of its employees if not prescribed by statute.

15 7. Delegate to the superintendent of public instruction the execution  
16 of board policies and rules.

17 8. Recommend to the legislature changes or additions to the statutes  
18 pertaining to schools.

19 9. Prepare, publish and distribute reports concerning the educational  
20 welfare of this state.

21 10. Prepare a budget for expenditures necessary for proper maintenance  
22 of the board and accomplishment of its purposes and present the budget to the  
23 legislature.

24 11. Aid in the enforcement of laws relating to schools.

25 12. Prescribe a minimum course of study in the common schools, minimum  
26 competency requirements for the promotion of pupils from the third grade and  
27 minimum course of study and competency requirements for the promotion of  
28 pupils from the eighth grade. The state board of education shall prepare a

1       fiscal impact statement of any proposed changes to the minimum course of  
2       study or competency requirements and, on completion, shall send a copy to the  
3       director of the joint legislative budget committee and the executive director  
4       of the school facilities board. The state board of education shall not adopt  
5       any changes in the minimum course of study or competency requirements in  
6       effect on July 1, 1998 that will have a fiscal impact on school capital  
7       costs.

8           13. Prescribe minimum course of study and competency requirements for  
9       the graduation of pupils from high school. The state board of education  
10      shall prepare a fiscal impact statement of any proposed changes to the  
11      minimum course of study or competency requirements and, on completion, shall  
12      send a copy to the director of the joint legislative budget committee and the  
13      executive director of the school facilities board. The state board of  
14      education shall not adopt any changes in the minimum course of study or  
15      competency requirements in effect on July 1, 1998 that will have a fiscal  
16      impact on school capital costs.

17          14. Supervise and control the certification of persons engaged in  
18      instructional work directly as any classroom, laboratory or other teacher or  
19      indirectly as a supervisory teacher, speech therapist, principal or  
20      superintendent in a school district, including school district preschool  
21      programs, or any other educational institution below the community college,  
22      college or university level, and prescribe rules for certification, including  
23      rules for certification of teachers who have teaching experience and who are  
24      trained in other states, which are not unnecessarily restrictive and are  
25      substantially similar to the rules prescribed for the certification of  
26      teachers trained in this state. The rules shall require applicants for all  
27      certificates for common school instruction to complete a minimum of  
28      forty-five classroom hours or three college level credit hours, or the  
29      equivalent, of training in research based systematic phonics instruction from  
30      a public or private provider. The rules shall not require a teacher to  
31      obtain a master's degree or to take any additional graduate courses as a  
32      condition of certification or recertification. The rules shall allow a

1        general equivalency diploma to be substituted for a high school diploma in  
2        the certification of emergency substitute teachers.    THE STATE BOARD OF  
3        EDUCATION SHALL REQUIRE A BASIC TEACHING PROFICIENCY ASSESSMENT FOR EMERGENCY  
4        SUBSTITUTE TEACHERS. THE ASSESSMENT SHALL EITHER BE DEVELOPED OR SELECTED AND  
5        APPROVED BY THE STATE BOARD OF EDUCATION AND A PASSING SCORE, AS DETERMINED  
6        BY THE STATE BOARD OF EDUCATION, WILL BE REQUIRED BEFORE AN APPLICANT MAY  
7        RECEIVE AN EMERGENCY SUBSTITUTE TEACHING CERTIFICATE.

8            15. Adopt a list of approved tests for determining special education  
9        assistance to gifted pupils as defined in and as provided in chapter 7,  
10       article 4.1 of this title. The adopted tests shall provide separate scores  
11       for quantitative reasoning, verbal reasoning and nonverbal reasoning and  
12       shall be capable of providing reliable and valid scores at the highest ranges  
13       of the score distribution.

14           16. Adopt rules governing the methods for the administration of all  
15       proficiency examinations.

16           17. Adopt proficiency examinations for its use. The state board of  
17       education shall determine the passing score for the proficiency examination.

18           18. Include within its budget the cost of contracting for the purchase,  
19       distribution and scoring of the examinations as provided in paragraphs 16 and  
20       17 of this subsection.

21           19. Supervise and control the qualifications of professional  
22       nonteaching school personnel and prescribe standards relating to  
23       qualifications.

24           20. Impose such disciplinary action, including the issuance of a letter  
25       of censure, suspension, suspension with conditions or revocation of a  
26       certificate, upon a finding of immoral or unprofessional conduct.

27           21. Establish an assessment, data gathering and reporting system for  
28       pupil performance as prescribed in chapter 7, article 3 of this title.

29           22. Adopt a rule to promote braille literacy pursuant to section  
30       15-214.

1           23. Adopt rules prescribing procedures for the investigation by the  
2 department of education of every written complaint alleging that a  
3 certificated person has engaged in immoral conduct.

4           24. For purposes of federal law, serve as the state board for  
5 vocational and technological education and meet at least four times each year  
6 solely to execute the powers and duties of the state board for vocational and  
7 technological education.

8           25. Develop and maintain a handbook for use in the schools of this  
9 state that provides guidance for the teaching of moral, civic and ethical  
10 education. The handbook shall promote existing curriculum frameworks and  
11 shall encourage school districts to recognize moral, civic and ethical values  
12 within instructional and programmatic educational development programs for  
13 the general purpose of instilling character and ethical principles in pupils  
14 in kindergarten programs and grades one through twelve.

15           26. Require pupils to recite the following passage from the declaration  
16 of independence for pupils in grades four through six at the commencement of  
17 the first class of the day in the schools, except that a pupil shall not be  
18 required to participate if the pupil or the pupil's parent or guardian  
19 objects:

20                   We hold these truths to be self-evident, that all men are  
21 created equal, that they are endowed by their creator with  
22 certain unalienable rights, that among these are life, liberty  
23 and the pursuit of happiness. That to secure these rights,  
24 governments are instituted among men, deriving their just powers  
25 from the consent of the governed. . . .

26           27. Adopt rules that provide for teacher certification reciprocity.  
27 The rules shall provide for a one year reciprocal teaching certificate with  
28 minimum requirements including valid teacher certification from a state with  
29 substantially similar criminal history or teacher fingerprinting requirements  
30 and proof of the submission of an application for a fingerprint clearance  
31 card pursuant to title 41, chapter 12, article 3.1.

1           28. Adopt rules that will be in effect until December 31, 2006 and that  
2 provide for the presentation of an honorary high school diploma to a person  
3 who has never obtained a high school diploma and who meets each of the  
4 following requirements:

5           (a) Is at least sixty-five years of age.

6           (b) Currently resides in this state.

7           (c) Provides documented evidence from the Arizona department of  
8 veterans' services that the person enlisted in the armed forces of the United  
9 States before completing high school in a public or private school.

10          (d) Was honorably discharged from service with the armed forces of the  
11 United States.

12          29. Cooperate with the Arizona-Mexico commission in the governor's  
13 office and with researchers at universities in this state to collect data and  
14 conduct projects in the United States and Mexico on issues that are within  
15 the scope of the duties of the department of education and that relate to  
16 quality of life, trade and economic development in this state in a manner  
17 that will help the Arizona-Mexico commission to assess and enhance the  
18 economic competitiveness of this state and of the Arizona-Mexico region.

19          30. Adopt rules to define and provide guidance to schools as to the  
20 activities that would constitute immoral or unprofessional conduct of  
21 certificated persons.

22          31. Adopt guidelines to encourage pupils in grades nine, ten, eleven  
23 and twelve to volunteer for twenty hours of community service before  
24 graduation from high school. A school district that complies with the  
25 guidelines adopted pursuant to this paragraph is not liable for damages  
26 resulting from a pupil's participation in community service unless the school  
27 district is found to have demonstrated wanton or reckless disregard for the  
28 safety of the pupil and other participants in community service. For the  
29 purposes of this paragraph, "community service" may include service learning.  
30 The guidelines shall include the following:

31          (a) A list of the general categories in which community service may be  
32 performed.

1 (b) A description of the methods by which community service will be  
2 monitored.

3 (c) A consideration of risk assessment for community service projects.

4 (d) Orientation and notification procedures of community service  
5 opportunities for pupils entering grade nine including the development of a  
6 notification form. The notification form shall be signed by the pupil and  
7 the pupil's parent or guardian, except that a pupil shall not be required to  
8 participate in community service if the parent or guardian notifies the  
9 principal of the pupil's school in writing that the parent or guardian does  
10 not wish the pupil to participate in community service.

11 (e) Procedures for a pupil in grade nine to prepare a written proposal  
12 that outlines the type of community service that the pupil would like to  
13 perform and the goals that the pupil hopes to achieve as a result of  
14 community service. The pupil's written proposal shall be reviewed by a  
15 faculty advisor, a guidance counselor or any other school employee who is  
16 designated as the community service program coordinator for that school. The  
17 pupil may alter the written proposal at any time before performing community  
18 service.

19 (f) Procedures for a faculty advisor, a guidance counselor or any  
20 other school employee who is designated as the community service program  
21 coordinator to evaluate and certify the completion of community service  
22 performed by pupils.

23 32. To facilitate the transfer of military personnel and their  
24 dependents to and from the public schools of this state, pursue, in  
25 cooperation with the Arizona board of regents, reciprocity agreements with  
26 other states concerning the transfer credits for military personnel and their  
27 dependents. A reciprocity agreement entered into pursuant to this paragraph  
28 shall:

29 (a) Address procedures for each of the following:

30 (i) The transfer of student records.

31 (ii) Awarding credit for completed course work.

1 (iii) Permitting a student to satisfy the graduation requirements  
2 prescribed in section 15-701.01 through the successful performance on  
3 comparable exit-level assessment instruments administered in another state.

4 (b) Include appropriate criteria developed by the state board of  
5 education and the Arizona board of regents.

6 33. Adopt guidelines that school district governing boards shall use in  
7 identifying pupils who are eligible for gifted programs and in providing  
8 gifted education programs and services. The state board of education shall  
9 adopt any other guidelines and rules that it deems necessary in order to  
10 carry out the purposes of chapter 7, article 4.1 of this title.

11 B. The state board of education may:

12 1. Contract.

13 2. Sue and be sued.

14 3. Distribute and score the tests prescribed in chapter 7, article 3  
15 of this title.

16 4. Provide for an advisory committee to conduct hearings and  
17 screenings to determine whether grounds exist to impose disciplinary action  
18 against a certificated person, whether grounds exist to reinstate a revoked  
19 or surrendered certificate and whether grounds exist to approve or deny an  
20 initial application for certification or a request for renewal of a  
21 certificate. The board may delegate its responsibility to conduct hearings  
22 and screenings to its advisory committee. Hearings shall be conducted  
23 pursuant to title 41, chapter 6, article 6.

24 5. Proceed with the disposal of any complaint requesting disciplinary  
25 action or with any disciplinary action against a person holding a certificate  
26 as prescribed in subsection A, paragraph 14 of this section after the  
27 suspension or expiration of the certificate or surrender of the certificate  
28 by the holder.

29 6. Assess costs and reasonable attorney fees against a person who  
30 files a frivolous complaint or who files a complaint in bad faith. Costs  
31 assessed pursuant to this paragraph shall not exceed the expenses incurred by  
32 the state board in the investigation of the complaint.

House Amendments to H.B. 2482

1 Amend title to conform

DAVID SCHAPIRA

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3/3/08

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